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BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Seventh Floor
12400 Wilshire Boulevard
Los Angeles, CA 90025-1026

EXAMINER

TRUONG, CAM Y T

ART UNIT

PAPER NUMBER

2162

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/922,465

Applicant(s)

LAU ET AL.

Examiner

Cam Y T Truong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119


- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.


SHAHID ALAM
PRIMARY EXAMINER

DETAILED ACTION

Response to Arguments

1. Applicant has amended claims 1-3, 5-8, 10-13, 15-20, 21-24, 27 and added claims 28 and 29 in the amendment filed on March 28, 2005. Claims 1 – 29 are pending in this Office Action.

Applicant's arguments filed March 28, 2005 have been fully considered but they are not persuasive for the following reasons.

Applicant argues on pages 10 – 13 that a *prima facie* case of obviousness has not been established; the combination does not teach or suggest each and every limitation in the claim that is there is no suggestion to combine the references; and “although, Robertson discloses notifying affinity group members when information common to the affinity group changes”, Robertson does not teach or suggest notifying affinity group members when information that is not common to the group changes.

Examiner respectfully disagrees the entire allegation as argued. Examiner, in her previous office action, gave detail explanation of claimed limitation and pointed out exact locations in the cited prior art.

In response to applicant's argument on pages 10 – 13, *a prima facie case of obviousness* is established when the teachings from the prior art itself would appear to have suggested the claimed subject matter to a person of ordinary skill in the art. Once such a case is established, it is incumbent upon appellant to go forward with objective evidence of unobviousness. In re Fielder, 471 F.2d 640, 176 USPQ 300 (CCPA 1973).

Examiner is entitled to give claim limitations their broadest reasonable interpretation in light of the specification.

Interpretation of Claims-Broadest Reasonable Interpretation

During patent examination, the pending claims must be 'given the broadest reasonable interpretation consistent with the specification.' Applicant always has the opportunity to amend the claims during prosecution and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re Prater, 162 USPQ 541,550-51 (CCPA 1969).

Applicant argued that the combination of Ward and Robertson does not support a prima facie case of obvious because the combination does not teach each and every limitation of claim 1.

As to claim 1, Ward teaches a computerized method for updating user profiles (col. 29, lines 8-9) comprising:

"identifying a set of user profiles in a multi-user broadcasting system" as a profile program analyzes an individual's viewer profile as compared to the viewer profiles of others. The profile program uses viewer profile information to customize the presentation and/or scheduling of telecast advertisements that are viewable during the real time telecast of the television program that the viewer is watching. When the profile program analyzes an individual's viewer profile to compare to other's viewer profiles, the profile program identifies sets of viewer profiles. Viewer profiles are presented as user profiles. The telecast is represented as a multi-user broadcasting system (col. 30, lines 22-23; col. 32, lines 19-23),

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"each user profile operable to allow a user to customize a viewing experience via the broadcasting system" as viewer profile information is used to customize various aspects of the EPG. The viewer can request a pull down menu of favorite channel identifiers and can select a channel from the pull down menu. The viewer can further instruct the EPG to automatically tune to the viewer's favorite channel, as is deduced from analyzing the viewer's profile information. Alternatively, the viewer can instruct the EPG to automatically tune to a particular channel, e.g., a news channel such as CNN. The above information shows that the user profile allows a viewer or user to customize a view (col. 30, lines 29-30; col. 16, lines 33-35; col.7, lines 1-5),

the identified set of user profiles being identified according to a first interest common among the identified set of user profiles" as the profile program analyzes an individual's viewer profile as compared to the viewer profiles of others. With this cross-comparison analysis, the profile program can determine the likelihood that the subject viewer will be interested in a particular subject, product, theme and movie based on comparisons to similar viewer profiles. Each user profile contains interests such as satellite services to which the viewer subscribes; the length of said subscriptions; the viewer's top favorite channels; the viewer's favorite types of program, etc. The above information shows that similar viewer profiles can contains at least one similar or common interest of viewer profiles. When the profile program analyzes an individual's viewer profile as compared to similar viewer profiles, the system identifies sets of similar viewer profiles according to at least one similar interest (col. 30, lines 22-28; col. 27, lines 65-67; col. 28, lines 1-5).

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Ward does not explicitly teach the claimed limitation "notifying each user of the identified set of user profiles if any user of the identified set of user profiles applies an update to a second interest in one profile of the identified set of user profiles, the second interest not being common to the identified set". Robertson teaches the claimed limitations:

"notifying each user of the identified set of user profiles if any user of the identified set of user profiles applies an update to a second interest in one profile of the identified set of user profiles" as whenever a second user changes any information in any data field of his data record, the information in that field is automatically updated in the information database or record of each first user whom he has given permission to view the information in that data field. It means that when a second user allows a first user to view any field in his record, that data field is automatically stored in the first user's record. Thus, the first user's record and the second user's record contain at least one similar or common field. Automatically updating that field in the first user's record whenever the second user change that field in his record indicates that the system notifies the update to the first user. Any data field of each second user that is viewed by each first user is represented as a second interest. Each first user record and each second user record are represented as user profiles (fig. 6, col. 3, lines 18-21);

"the second interest not being common to the identified set" as whenever a user is planning to travel, he can specify the dates during which he will be away and the city he will be visiting. If a second user has granted a first user Crossing Paths Notification permission, then the first user has entered a travel Event to a city that is within a 29 mile

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radius of the base city of the second use, the first user will be notified 650-622. The 650-652 is represented as the second interest not being common to the identified first user profiles (col. 13, lines 1-10, figs. 11-12). Thus, It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Robertson's teaching of automatically updating the information database of each first user, whom the second user has given permission to view that data fields, whenever a second user changes any information in any data field of his data record and whenever a user is planning to travel, he can specify the dates during which he will be away and the city he will be visiting. If a second user has granted a first user Crossing Paths Notification permission, then the first user has entered a travel Event to a city that is within a 29 mile radius of the base city of the second use, the first user will be notified 650-622 to Ward's system in order to allow a user to save time for monitoring updated data fields or interests of other users and further to provide a system whereby users can participate in discussion groups with others interested in different topic.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Robertson's teaching of automatically updating the information database

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of each first user, whom the second user has given permission to view that data fields, whenever a second user changes any information in any data field of his data record and whenever a user is planning to travel, he can specify the dates during which he will be away and the city he will be visiting. If a second user has granted a first user Crossing Paths Notification permission, then the first user has entered a travel Event to a city that is within a 29 mile radius of the base city of the second use, the first user will be notified 650-622 to Ward's system in order to allow a user to save time for monitoring updated data fields or interests of other users and further to provide a system whereby users can participate in discussion groups with others interested in different topic.

"Test of obviousness is not whether features of secondary reference may be bodily incorporated into primary reference's structure, nor whether claimed invention is expressly suggested in any one or all of references; rather, test is what combined teachings of references would have suggested to those of ordinary skill in art."

In re Keller, Terry, and Davies, 208 USPQ 871 (CCPA 1981).

"Reason, suggestion, or motivation to combine two or more prior art references in single invention may come from references themselves, from knowledge of those skilled in art that certain references or disclosures in references are known to be of interest in particular field, or from nature of problem to be solved;" Pro-Mold and Tool Co. v. Great Lakes Plastics Inc. U.S. Court of Appeals Federal Circuit 37 USPQ2d 1626 Decided February 7, 1996 Nos. 95-1171, -1181

"[q]uestion is whether there is something in prior art as whole to suggest desirability, and thus obviousness, of making combination." Lindemann Maschinenfabrik GMBH v.

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American Hoist and Derrick Company et al. U.S. Court of Appeals Federal Circuit 221
USPQ 481 Decided Mar. 21, 1984 No 83-1178.

Applicant argued that Robertson does not teach "notifying each user associated with a user profile set when a user updates an interest uncommon to the user profile set". Robertson teaches whenever a second user changes any information in any data field of his data record, the information in that field is automatically updated in the information database or record of each first user whom he has given permission to view the information in that data field. It means that when a second user allows a first user to view any field in his record, that data field is automatically stored in the first user's record. Thus, the first user's record and the second user's record contain at least one similar or common field. Automatically updating that field in the first user's record whenever the second user change that field in his record indicates that the system notifies the update to the first user. Any data field of each second user that is viewed by each first user is represented as a second interest. Each first user record and each second user record are represented as user profiles. For example, in the illustrated situation a user A submits an address change from their client computer 370A. In response to the update, the personal contact manager 343 running on the server 330 updates user A's address information in the server database 340 (not shown) and issues an update notification to the client computer 370B used by user B, who is a contact of user A. The user A's address information is represented as an interest uncommon to user profile B (col. 13, lines 1-10, figs. 11-12).

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In particularly, whenever a user is planning to travel, he can specify the dates during which he will be away and the city he will be visiting. If a second user has granted a first user Crossing Paths Notification permission, then the first user has entered a travel Event to a city that is within a 29 mile radius of the base city of the second use, the first user will be notified 650-622. The 650-652 is represented as the second interest not being common to the identified first user profiles (fig. 6, col. 3, lines 18-21; col. 16, lines 1-8).

Examiner thanks Applicant for acknowledging that Robertson's notifying affinity group members when information common to the affinity group changes and since, it is true, Robertson could also be notifying affinity group members when information that is not common to the group changes. Therefore, Examiner believes that entire claim limitation and its interpretation is appropriate.

In view of the above, the examiner contends that all limitations as recited in the claims have been addressed in this Action.

For the above reason, examiner believed that rejection of the last office action was proper.

Claim Objections

2. Claim 12 is objected to because of the following informalities: the word "the" is repeated twice in page 5, line 7. Appropriate correction is required.
3. Claim 29 appears to be improper dependent since it dependent on itself. Thus, examiner refers that claim 29 is dependent on claim 1. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 6-8, 11-13, 16-19, 22-24 and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ward, III et al (or hereinafter "Ward") (US 6756997) in view of Robertson (US 6269369).

As to claim 1, Ward teaches a computerized method for updating user profiles (col. 29, lines 8-9) comprising:

"identifying a set of user profiles in a multi-user broadcasting system" as a profile program analyzes an individual's viewer profile as compared to the viewer profiles of others. The profile program uses viewer profile information to customize the presentation and/or scheduling of telecast advertisements that are viewable during the real time telecast of the television program that the viewer is watching. When the profile program analyzes an individual's viewer profile to compare to other's viewer profiles, the

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profile program identifies sets of viewer profiles. Viewer profiles are presented as user profiles. The telecast is represented as a multi-user broadcasting system (col. 30, lines 22-23; col. 32, lines 19-23),

“each user profile operable to allow a user to customize a viewing experience via the broadcasting system” as viewer profile information is used to customize various aspects of the EPG. The viewer can request a pull down menu of favorite channel identifiers and can select a channel from the pull down menu. The viewer can further instruct the EPG to automatically tune to the viewer's favorite channel, as is deduced from analyzing the viewer's profile information. Alternatively, the viewer can instruct the EPG to automatically tune to a particular channel, e.g., a news channel such as CNN. The above information shows that the user profile allows a viewer or user to customize a view (col. 30, lines 29-30; col. 16, lines 33-35; col.7, lines 1-5),

“the identified set of user profiles being identified according to a first interest common among the identified set of user profiles” as the profile program analyzes an individual's viewer profile as compared to the viewer profiles of others. With this cross-comparison analysis, the profile program can determine the likelihood that the subject viewer will be interested in a particular subject, product, theme and movie based on comparisons to similar viewer profiles. Each user profile contains interests such as satellite services to which the viewer subscribes; the length of said subscriptions; the viewer's top favorite channels; the viewer's favorite types of program, etc. The above information shows that similar viewer profiles can contains at least one similar or common interest of viewer profiles. When the profile program analyzes an individual's

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viewer profile as compared to similar viewer profiles, the system identifies sets of similar viewer profiles according to at least one similar interest (col. 30, lines 22-28; col. 27, lines 65-67; col. 28, lines 1-5).

Ward does not explicitly teach the claimed limitation "notifying each user of the identified set of user profiles if any user of the identified set of user profiles applies an update to a second interest in one profile of the identified set of user profiles, the second interest not being common to the identified set". Robertson teaches the claimed limitations:

"notifying each user of the identified set of user profiles if any user of the identified set of user profiles applies an update to a second interest in one profile of the identified set of user profiles" as whenever a second user changes any information in any data field of his data record, the information in that field is automatically updated in the information database or record of each first user whom he has given permission to view the information in that data field. It means that when a second user allows a first user to view any field in his record, that data field is automatically stored in the first user's record. Thus, the first user's record and the second user's record contain at least one similar or common field. Automatically updating that field in the first user's record whenever the second user change that field in his record indicates that the system notifies the update to the first user. Any data field of each second user that is viewed by each first user is represented as a second interest. Each first user record and each second user record are represented as user profiles (fig. 6, col. 3, lines 18-21);

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“the second interest not being common to the identified set” as whenever a user is planning to travel, he can specify the dates during which he will be away and the city he will be visiting. If a second user has granted a first user Crossing Paths Notification permission, then the first user has entered a travel Event to a city that is within a 29 mile radius of the base city of the second use, the first user will be notified 650-622. The 650-652 is represented as the second interest not being common to the identified first user profiles (col. 13, lines 1-10, figs. 11-12).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Robertson's teaching of automatically updating the information database of each first user, whom the second user has given permission to view that data fields, whenever a second user changes any information in any data field of his data record and whenever a user is planning to travel, he can specify the dates during which he will be away and the city he will be visiting. If a second user has granted a first user Crossing Paths Notification permission, then the first user has entered a travel Event to a city that is within a 29 mile radius of the base city of the second use, the first user will be notified 650-622 to Ward's system in order to allow a user to save time for monitoring updated data fields or interests of other users and further to provide a system whereby users can participate in discussion groups with others interested in different topic.

As to claims 2, 8, 18 and 24, Ward and Robertson disclose the claimed limitation subject matter in claim 1, 7, 17 and 23, Robertson further the claimed limitation “linking

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each user profile of the identified set of user profile having the at least first interest” as for each second user to which a first user has established a link, the second user can specify which data fields in his data record can be viewed by the first user. If the second user chooses to establish a link to the first user, he can specify which data fields in this personal data record can be viewed by the first user. Users have their own records. The above shows that there are linkages between individual users within a group, thus users can view other users’ records on a user by user basis. When each second user establishes a link to the first user, the second user’s record and the first user’s record are linked to each other too. Their records are presented as user profiles (col. 2, lines 66-67, col. 3, lines 6-9; col. 5, lines 5-6).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Roberson’s teaching of each second user to which a first user has established a link, the second user can specify which data fields in his data record can be viewed by the first user to Ward’s system in order to allow users to create and maintain contacts with other users and further to share interests with other users.

As to claims 3 and 19, Ward teaches the claimed limitation “wherein the first interest is selected from the group consisting of a type of program, a genre and a content of program” as the likelihood that the subject viewer will be interested in a particular subject, product, theme e.g., sports, drama; and watch a program with a particular type of subject golf, tennis. For instance, a viewer selects a news program to watch. While watching the news program, the news broadcaster describes an event involving

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astronauts. The above information shows that news is related to science, news program has included content such as an event that a user can view. News program or sports are represented as a type of program. Science or tennis is represented as a genre. The viewer's likelihood subject is represented as a common interest (col. 30, lines 24-29; col. 29, lines 27-34; col. 18, lines 44-46).

As to claims 6, 11 and 22, Ward and Robertson disclose the claimed limitation subject matter in claim 1, 7 and 17, Robertson further teach the claimed limitation "automatically updating the user profile of at least one of the users of the identified set of user profiles with the update" as whenever a second user changes any information in any data field of his data record, the information in that field is automatically updated in the information database of each first user whom he has given permission to view the information in that data field. Each database of each user is represented as each other user profiles. The information in the data field is represented as the common interest (col. 3, lines 18-21; col. 4, lines 40-45).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Roberson teaching of automatically updating the information database of each first user when receiving a changes in second user record to Ward's system in order to provide latest information or interest of a user profile to a user quickly and further synchronize updated common interests of a user profile with common interests of other user profiles.

As to claim 7, Ward teaches a computer readable medium comprising instructions which when executed in a processing system performs a method for updating user profiles (col. 29, lines 7-12) comprising:

“identifying a set of user profiles in a multi-user broadcasting system” as a profile program analyzes an individual’s viewer profile as compared to the viewer profiles of others. The profile program uses viewer profile information to customize the presentation and/or scheduling of telecast advertisements that are viewable during the real time telecast of the television program that the viewer is watching. Thus, when the profile program analyzes an individual’s viewer profile to compare to other’s viewer profiles, the profile program identifies sets of viewer profiles. Viewer profiles are presented as user profiles. The telecast is represented as a multi-user broadcasting system (col. 30, lines 22-23; col. 32, lines 19-20),

“each user profile operable to allow a user to customize a viewing experience via the broadcasting system” as viewer profile information is used to customize various aspects of the EPG. The viewer can request a pull down menu of favorite channel identifiers and can select a channel from the pull down menu. The viewer can further instruct the EPG to automatically tune to the viewer’s favorite channel, as is deduced from analyzing the viewer’s profile information. Alternatively, the viewer can instruct the EPG to automatically tune to a particular channel, e.g., a news channel such as CNN. The above information shows that the user profile allows a viewer or user to customize a view (col. 30, lines 29-30; col. 16, lines 33-35; col.7, lines 1-5),

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"the identified set of user profiles being identified according to a first interest common among the sets of user profiles" as the profile program analyzes an individual's viewer profile as compared to the viewer profiles of others. With this cross-comparison analysis, the profile program can determine the likelihood that the subject viewer will be interested in a particular subject, product, theme, and movie based on comparisons to similar viewer profile. Each user profile contains sets of information such as satellite services to which the viewer subscribes; the length of said subscriptions; the viewer's top favorite channels; the viewer's favorite types of program, etc. The above information shows similar viewer profiles that can contain at least one similar or common interest of viewer profiles. When the profile program analyzes an individual's viewer profile as compared to similar viewer profiles, the system identifies sets of similar viewer profiles according to at least one similar interest (col. 30, lines 22-28; col. 27, lines 65-67; col. 28, lines 1-5).

Ward does not explicitly teach the claimed limitation "notifying each user of the identified set of user profiles if any user of the identified set of user profiles applies an update to the second interest in one profile of the identified set of user profiles, the second interest not being common to the identified set". Robertson teaches that whenever a second user changes any information in any data field of his data record, the information in that field is automatically updated in the information database or record of each first user whom he has given permission to view the information in that data field. It means that when a second user allows a first user to view any field in his record, that data field is automatically stored in the first user's record. Thus, the first

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user's record and the second user's record contain at least one similar or common field.

Automatically updating that field in the first user's record whenever the second user change that field in his record indicates that the system notifies the update to the first user. Any data field of each second user that is viewed by each first user is represented as a common interest. Each first user record and each second user record are represented as user profiles (fig. 6, col. 3, lines 18-21). Robertson also teaches whenever a user is planning to travel, he can specify the dates during which he will be away and the city he will be visiting. If a second user has granted a first user Crossing Paths Notification permission, then the first user has entered a travel Event to a city that is within a 29 mile radius of the base city of the second use, the first user will be notified 650-622. The 650-652 is represented as the second interest not being common to the identified first user profiles (col. 13, lines 1-10, figs. 11-12).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Robertson's teaching of automatically updating the information database of each first user, whom the second user has given permission to view that data fields, whenever a second user changes any information in any data field of his data record and whenever a user is planning to travel, he can specify the dates during which he will be away and the city he will be visiting. If a second user has granted a first user Crossing Paths Notification permission, then the first user has entered a travel Event to a city that is within a 29 mile radius of the base city of the second use, the first user will be notified 650-622 to Ward's system in order to allow a user to save time for monitoring updated data fields or interests of other users and

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further to provide a system whereby users can participate in discussion groups with others interested in different topic.

As to claim 12, Ward teaches an apparatus comprising:

“a plurality of user profiles” as viewer profiles (col. 30, lines 22-23),

“ the user profiles identifying at least one interest of a corresponding user” as the system contains a plurality of viewer profiles. Each viewer profile contains the type of television, satellite services to which viewers subscribes, the viewer’s top favorite channels; the viewer’s favorite types of programs. At the viewer’s option, the electronic program guide (EPG) and profile program use the basic viewer profile data of each viewer profile, the simple statistics collected about a particular viewer, viewer preferences and viewer characteristics to search for news stories that are likely to suite the viewer’s interests. The above information shows that each viewer profile is used to identify interests of a corresponding viewer (col. 30, lines 22-23; col. 28, lines 1-4; col. 31, lines 18-22);

“an interest evaluation engine, the interest engine to identify a set of user profiles in a multi-user broadcasting system” as a profile program analyzes an individual’s viewer profile as compared to the viewer profiles of others. The profile program uses viewer profile information to customize the presentation and/or scheduling of telecast advertisements that are viewable during the real time telecast of the television program that the viewer is watching. Thus, when the profile program analyzes an individual’s viewer profile to compare to other’s viewer profiles, the profile program identifies sets of

viewer profiles. Viewer profiles are presented as user profiles. The telecast is represented as a multi-user broadcasting system. The profile program is represented as an interest evaluation engine (col. 30, lines 22-28; col. 29, lines 52-61),

“each user profile operable to allow a user to customize a viewing experience via the broadcasting system” as viewer profile information is used to customize various aspects of the EPG. The viewer can request a pull down menu of favorite channel identifiers and can select a channel from the pull down menu. The viewer can further instruct the EPG to automatically tune to the viewer's favorite channel, as is deduced from analyzing the viewer's profile information. Alternatively, the viewer can instruct the EPG to automatically tune to a particular channel, e.g., a news channel such as CNN. The above information shows that the user profile allows a viewer or user to customize a view (col. 30, lines 29-30; col. 16, lines 33-35; col.7, lines 1-5),

“the identified set of user profiles identified according to a first interest common among the the identified set of user profile” as the profile program analyzes an individual's viewer profile as compared to the viewer profiles of others. With this cross-comparison analysis, the profile program can determine the likelihood that the subject viewer will be interested in a particular subject, product, theme and movie based on comparisons to similar viewer profile. Each user profile contains sets of information such as satellite services to which the viewer subscribes; the length of said subscriptions; the viewer's top favorite channels; the viewer's favorite types of program, etc. The above information shows similar viewer profiles that can contain at least one similar or common interest of viewer profiles. When the profile program analyzes an

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individual's viewer profile as compared to similar viewer profiles, the system identifies sets of similar viewer profiles according to at least one similar interest (col. 30, lines 22-28; col. 27, lines 65-67; col. 28, lines 1-5).

Ward does not explicitly teach the claimed limitation "to notify each user of the identified set of user profiles if any user of the identified set of user profiles applies an update to the second interest in one profile of the identified set of user profiles, the second interest not being common to the identified set". Robertson teaches that whenever a second user changes any information in any data field of his data record, the information in that field is automatically updated in the information database or record of each first user whom he has given permission to view the information in that data field. It means that when a second user allows a first user to view any field in his record, that data field is automatically stored in the first user's record. Thus, the first user's record and the second user's record contain at least one similar or common field. Automatically updating that field in the first user's record whenever the second user change that field in his record indicates that the system notifies the update to the first user. Any data field of each second user that is viewed by each first user is represented as a common interest. Each first user record and each second user record are represented as user profiles (fig. 6, col. 3, lines 18-21). Robertson also teaches whenever a user is planning to travel, he can specify the dates during which he will be away and the city he will be visiting. If a second user has granted a first user Crossing Paths Notification permission, then the first user has entered a travel Event to a city that is within a 29 mile radius of the base city of the second use, the first user will be notified

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650-622. The 650-652 is represented as the second interest not being common to the identified first user profiles (col. 13, lines 1-10, figs. 11-12).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Robertson's teaching of automatically updating the information database of each first user, whom the second user has given permission to view that data fields, whenever a second user changes any information in any data field of his data record and whenever a user is planning to travel, he can specify the dates during which he will be away and the city he will be visiting. If a second user has granted a first user Crossing Paths Notification permission, then the first user has entered a travel Event to a city that is within a 29 mile radius of the base city of the second use, the first user will be notified 650-622 to Ward's system in order to allow a user to save time for monitoring updated data fields or interests of other users and further to provide a system whereby users can participate in discussion groups with others interested in different topic.

As to claims 13, Ward and Robertson disclose the claimed limitation subject matter in claim 12, Robertson further teaches the claimed limitation "links establishing the identified set of user profiles, the links identified according to the corresponding first interest" as for each second user to which a first user has established a link, the second user can specify which data fields in his data record can be viewed by the first user. If the second user chooses to establish a link to the first user, he can specify which data fields in this personal data record can be viewed by the first user. Users have their own

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records. Whenever a second user changes any information in any data field of his data record, the information in that field is automatically updated in the information database or record of each first user whom he has given permission to view the information in that data field. It means that when a second user allows a first user to view any field in his record, that data field is automatically stored in the first user's record. The above shows that there are linkages between individual users within a group and links are created and identified according to the data field of the second user record that can be viewed and stored in the first user record, thus users can view other users' records on a user by user basis. Their records are presented as user profiles (fig. 13, col. 2, lines 66-67, col. 3, lines 6-9; col. 3, lines 16-21).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Roberson's teaching of establishing linkages between first user and second user to allow the user's personal record that can be viewed by the first user to Ward's system in order to allow users to create and maintain contacts with other users and further to share interests with other users.

As to claim 16, Ward and Robertson disclose the claimed limitation subject matter in claim 12, Robertson further teaches the claimed limitation "wherein the interest evaluation engine notifies by automatically updating the user profile of the identified set of users with the update" as whenever a second user changes any information in any data field of his data record, the information in that field is automatically updated in the information database of each first user whom he has given permission to view the information in

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that data field. The above information indicates that the system has include an interest evaluation engine to notifies by automatically updating each first user's record or database whenever a second user changes any information in any data field of his data record. Each database of each user is represented as each user profile. The information in the data field is represented as the common interest (col. 3, lines 18-21; col. 4, lines 40-45).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Roberson's teaching of updating the information database of each first user when receiving a changes in second user record to Ward's system in order to provide latest information or interest of a user profile to other users quickly and further synchronize updated common interests of a user profile with common interests of other user profiles.

As to claim 17, Ward teaches a system comprising:

"a processor coupled to a memory through a bus" as the EPG schedule, and/or supplemental information relevant to the program listings can be downloaded to the memory resident at the viewer's television system. The viewer will ask the EPG to make certain types of information available; the EPG will use an index of where to find the information and will automatically connect to the appropriate data source and will download information. The above information implies that the viewer's television system has included a processor coupled to the memory through a bus to allow a user

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interact or ask the EPG for making certain types of information available (col. 8, lines 6-10; fig. 22);

“a linking process executed from the memory by the processor to cause the processor to identify a set of user profiles in a multi-user broadcasting system” as a profile program analyzes an individual's viewer profile as compared to the viewer profiles of others. The profile program uses viewer profile information to customize the presentation and/or scheduling of telecast advertisements that are viewable during the real time telecast of the television program that the viewer is watching. When the profile program analyzes an individual's viewer profile to compare to other's viewer profiles, the profile program identifies sets of viewer profiles. Viewer profiles are presented as user profiles. The telecast is represented as a multi-user broadcasting system. The above information shows that the system has included a linking process executed from the memory by the processor to cause the processor to use the profile program for identifying interests of user profiles (col. 30, lines 22-23; col. 32, lines 19-20; col. 27, lines 65-67; col. 28, lines 1-5),

“each user profile operable to allow a user to customize a viewing experience via the broadcasting system” as viewer profile information is used to customize various aspects of the EPG. The viewer can request a pull down menu of favorite channel identifiers and can select a channel from the pull down menu. The viewer can further instruct the EPG to automatically tune to the viewer's favorite channel, as is deduced from analyzing the viewer's profile information. Alternatively, the viewer can instruct the EPG to automatically tune to a particular channel, e.g., a news channel such as CNN. The

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above information shows that the user profile allows a viewer or user to customize a view (col. 30, lines 29-30; col. 16, lines 33-35; col.7, lines 1-5),

“the identified set of user profiles identified according to a first interest common among the identified set of user profiles” as the profile program analyzes an individual’s viewer profile as compared to the viewer profiles of others. With this cross-comparison analysis, the profile program can determine the likelihood that the subject viewer will be interested in a particular subject, product, theme and movie based on comparisons to similar viewer profile. Each user profile contains sets of information such as satellite services to which the viewer subscribes; the length of said subscriptions; the viewer’s top favorite channels; the viewer’s favorite types of program, etc. The above information shows that the similar viewer profiles can contain at least one similar or common interest of sets of viewer profiles. When the profile program analyzes an individual’s viewer profile as compared to similar viewer profiles, the system identifies sets of the individual’s viewer profile and similar viewer profiles. Thus, sets of the similar viewer profiles and the individual’s viewer profile are identified according to at least one similar interest (col. 30, lines 22-28; col. 27, lines 65-67; col. 28, lines 1-5).

Ward does not explicitly teach the claimed limitation “notify each user of the identified set of user profiles if any user of the identified set of user profiles applies an update to a second interest in one profile of the identified set of user profiles, the second interest not being common to the identified set”. Robertson teaches that whenever a second user changes any information in any data field of his data record, the information in that field is automatically updated in the information database or

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record of each first user whom he has given permission to view the information in that data field. It means that when a second user allows a first user to view any field in his record, that data field is automatically stored in the first user's record. Thus, the first user's record and the second user's record contain at least one similar or common field. Automatically updating that field in the first user's record whenever the second user change that field in his record indicates that the system notifies the update to the first user. Any data field of each second user that is viewed by each first user is represented as a common interest. Each first user record and each second user record are represented as user profiles (fig. 6, col. 3, lines 18-21). Robertson also teaches whenever a user is planning to travel, he can specify the dates during which he will be away and the city he will be visiting. If a second user has granted a first user Crossing Paths Notification permission, then the first user has entered a travel Event to a city that is within a 29 mile radius of the base city of the second use, the first user will be notified 650-622. The 650-652 is represented as the second interest not being common to the identified first user profiles (col. 13, lines 1-10, figs. 11-12).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Robertson's teaching of automatically updating the information database of each first user, whom the second user has given permission to view that data fields, whenever a second user changes any information in any data field of his data record and whenever a user is planning to travel, he can specify the dates during which he will be away and the city he will be visiting. If a second user has granted a first user Crossing Paths Notification permission, then the first user has

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entered a travel Event to a city that is within a 29 mile radius of the base city of the second use, the first user will be notified 650-622 to Ward's system in order to allow a user to save time for monitoring updated data fields or interests of other users and further to provide a system whereby users can participate in discussion groups with others interested in different topic.

As to claim 23, Ward teaches an apparatus comprising:

"means for identifying a set of user profiles in a multi-user broadcasting system" as a profile program analyzes an individual's viewer profile as compared to the viewer profiles of others. The profile program uses viewer profile information to customize the presentation and/or scheduling of telecast advertisements that are viewable during the real time telecast of the television program that the viewer is watching. When the profile program analyzes an individual's viewer profile to compare to other's viewer profiles, the profile program identifies sets of viewer profiles. Viewer profiles are presented as user profiles. The telecast is represented as a multi-user broadcasting system (col. 30, lines 22-23; col. 32, lines 19-20);

"each user profile operable to allow a user to customize a viewing experience via the broadcasting system" as viewer profile information is used to customize various aspects of the EPG. The viewer can request a pull down menu of favorite channel identifiers and can select a channel from the pull down menu. The viewer can further instruct the EPG to automatically tune to the viewer's favorite channel, as is deduced from analyzing the viewer's profile information. Alternatively, the viewer can instruct the EPG to

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automatically tune to a particular channel, e.g., a news channel such as CNN. The above information shows that the user profile allows a viewer or user to customize a view (col. 30, lines 29-30; col. 16, lines 33-35; col.7, lines 1-5),

“the identified set of user profiles being identified according to a first interest common among the identified set of user profiles” as the profile program analyzes an individual’s viewer profile as compared to the viewer profiles of others. With this cross-comparison analysis, the profile program can determine the likelihood that the subject viewer will be interested in a particular subject, product, theme and movie based on comparisons to similar viewer profile. Each user profile contains sets of information such as satellite services to which the viewer subscribes; the length of said subscriptions; the viewer’s top favorite channels; the viewer’s favorite types of program, etc. The above information shows that similar viewer profiles can contains at least one similar or common interest of viewer profiles. When the profile program analyzes an individual’s viewer profile as compared to similar viewer profiles, the system identifies sets of similar viewer profiles according to at least one similar interest (col. 30, lines 22-28; col. 27, lines 65-67; col. 28, lines 1-5).

Ward does not explicitly teach the claimed limitation “means for notifying each user of the identified set of user profiles if any user of the identified set of user profiles applies an update to a second interest in one profile of the identified set of user profiles, the second interest not being common to the identified set”. Robertson teaches that whenever a second user changes any information in any data field of his data record, the information in that field is automatically updated in the information database or

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record of each first user whom he has given permission to view the information in that data field. It means that when a second user allows a first user to view any field in his record, that data field is automatically stored in the first user's record. Thus, the first user's record and the second user's record contain at least one similar or common field. Automatically updating that field in the first user's record whenever the second user change that field in his record indicates that the system notifies the update to the first user. Any data field of each second user that is viewed by each first user is represented as a common interest. Each first user record and each second user record are represented as user profiles (fig. 6, col. 3, lines 18-21). Robertson also teaches whenever a user is planning to travel, he can specify the dates during which he will be away and the city he will be visiting. If a second user has granted a first user Crossing Paths Notification permission, then the first user has entered a travel Event to a city that is within a 29 mile radius of the base city of the second use, the first user will be notified 650-622. The 650-652 is represented as the second interest not being common to the identified first user profiles (col. 13, lines 1-10, figs. 11-12).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Robertson's teaching of automatically updating the information database of each first user, whom the second user has given permission to view that data fields, whenever a second user changes any information in any data field of his data record and whenever a user is planning to travel, he can specify the dates during which he will be away and the city he will be visiting. If a second user has granted a first user Crossing Paths Notification permission, then the first user has

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entered a travel Event to a city that is within a 29 mile radius of the base city of the second use, the first user will be notified 650-622 to Ward's system in order to allow a user to save time for monitoring updated data fields or interests of other users and further to provide a system whereby users can participate in discussion groups with others interested in different topic.

As to claim 27, Ward and Robertson disclose the claimed limitation subject matter in claim 23, Robertson further teach the claimed limitation "wherein the means for comprises automatically updating the user profile of at least one of users of the identified set of user profiles with the update" as whenever a second user changes any information in any data field of his data record, the information in that field is automatically updated in the information database of each first user whom he has given permission to view the information in that data field. Each database of each user is represented as each other user profiles. The information in the data field is represented as the common interest (col. 3, lines 18-21; col. 4, lines 40-45).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Roberson's teaching of automatically updating the information database of each first user when receiving a changes in second user record to Ward's system in order to provide latest information of a user profile to a user quickly and further to synchronize updated common interests of a user profile with common interests of other user profiles.

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As to claim 28, Ward teaches the claimed limitation "the second interest is associated with the first interest" as (col. 27, lines 65-67; col. 28, lines 1-10; col. 30, lines 22-28).

As to claim 29, Ward teaches the claimed limitation "wherein the first interest comprises a subject genre and the second comprises preference-related information" as (col. 27, lines 65-67; col. 28, lines 1-10; col. 30, lines 22-28).

6. Claims 4, 9, 14, 20 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ward, III et al (or hereinafter "Ward") in view of Robertson (US 6269369) and further in view of Reilly (USP 6427164).

As to claims 4, 9, 20 and 25, Ward and Robertson disclose the claimed limitation subject matter in claim 1, 7, 17 and 23, except the claimed limitation "wherein notifying comprises sending a message informing each user of the update".

Reilly teaches sending user is notified by a new e-mail message that contains a new address (col. 9, lines 50-52).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Reilly's teaching of sending user is notified by a new e-mail message that contains a new address to Ward's system and Robertson's system in order to allow a user to manually or automatically update his profile with the new information (col. 3, lines 5-8).

As to claim 14, Ward and Robertson disclose the claimed limitation subject matter in claim 12, except the claimed limitation "wherein the interest evaluation engine notifies by sending a message informing each user of the update". Reilly teaches sending user is notified by a new e-mail message that contains a new address. The above information shows that the system has included an interest evaluation engine to notify a user with the new address (col. 9, lines 50-52).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Reilly's teaching of sending user is notified by a new e-mail message that contains a new address to Ward's system and Robertson's system in order to allow a user to manually or automatically update his profile with the new information (col. 3, lines 5-8).

7. Claim 5, 10, 21 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ward, III et al (or hereinafter "Ward") (US 6756997) in view of Robertson (US 6269369) and further in view of Pollack et al (or hereinafter "Pollack") (US 6578025).

As to claims 5, 10, 21 and 26, Ward and Robertson disclose the claimed limitation subject matter in claims 1, 7, 17 and 23, except the claimed limitation "receiving an indication from any user of the identified set of user profiles to apply the update to the user profile of at least one of the users of the identified set of user profiles". Pollack teaches that the user may indicate in the user feedback that the incoming message is

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not of interest to the user. In response, the system may update the user profiles to indicate that the incoming message is not of interest to the user 122 (col. 11, lines 20-24).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Pollack's teaching of updating user's profile based on user's indication to Ward's system and Robertson's system in order to maintain a user profile following user's desire.

8. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ward, III et al (or hereinafter "Ward") (US 6756997) in view of Robertson (US 6269369) and further in view of Robertson (US 6609106) (or hereinafter "Robertson106").

As to claim 15, Ward and Robertson disclose the claimed limitation subject matter in claim 14, except the claimed limitation "an input device enabling at least one of the users of the identified set of user profiles to select whether the update is to occur". Robertson106 teaches that If the user chooses to update their profile represented in process flow 3, then detailed profile information is retrieved from the User Database 71 in process 4 and displayed on the User Profile Maintenance Page FIG. 23. The user can modify any information in the user profile maintenance page and then submit this modifying by selecting a submit update icon 385(col. 18, lines 1-5).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Robertson106's teaching of if the user chooses to update their profile represented in process flow 3, then detailed profile information is

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retrieved from the User Database 71 in process 4 and displayed on the User Profile Maintenance Page FIG. 23 to Ward's system and Robertson's system in order to allow a user to update interests in his own profile manually and further to eliminate storing undesirable information.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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Contact Information

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam Y T Truong whose telephone number is. (571) 272-4042. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cam-Y Truong
Patent Examiner
Art Unit 2162
4/20/2005


SHAHID ALAM
PRIMARY EXAMINER